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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/511,016	05/31/2005	Dong-Hyun Kim	7260P001	8746
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8791	7590	09/13/2006
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EXAMINER

CLARK, AMY LYNN

ART UNIT

PAPER NUMBER

1655

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

10/511, 046


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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20060829

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Acknowledgment is made of the receipt and Applicant's election of Group 1, Claims 1, 2, 4 and 5 filed on 8/14/2006. However, Applicant is not fully responsive to the restriction requirement because Applicant must expressly identify an elected species and identify the claims readable on the elected invention, as set forth in the Office action dated 6/29/2006. Applicant must further elect one lactic acid bacteria from Claim 4 or 5. Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a)."

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, Applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

TERRY MCKELVEY, PH.D.  
SUPERVISORY PATENT EXAMINER